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EXAMINER

HAWK, NOAH CHANDLER

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/736,648	Applicant(s) BEZZUBOV, FEODOR	
	Examiner Noah C. Hawk	Art Unit 3637	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/11/05</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment filed 12/17/03 is acknowledged and has been considered and entered by the examiner.

### ***Drawings***

2. The drawings were received on 12/17/03. These drawings are accepted.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 8/11/05 was filed after the mailing date of the application date of 12/17/03. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner. The last entry in the IDS, US Patent 6684166, is a patent to Bellwood et al. for a pressure sensitive keyboard. It is unclear what relevance this document has on the instant application and thus, has been crossed out.

### ***Claim Objections***

4. Claim 29 is objected to under 37 CFR 1.75 as being a duplicate of Claim 28. The wording of both Claims 28 and 29 are identical and they both depend on Claim 17. Correction is required.

### ***Claim Rejections - 35 USC § 102***

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 7, 13-17, 22, and 27-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Strayer in US Patent 2990083.

a. Regarding Claim 1 Strayer discloses a storage system comprising a plurality of stackable containers arranged in a vertical stack (see Strayer, column 3, lines 13-14) each of the containers comprising a drawer (31) having a bottom wall (A) and a peripheral wall (B) defining a storage space (C) for receiving articles and an upwardly facing opening (best seen in Strayer, Figure 1) for accessing the storage space, a drawer housing (10) having at least an upper wall (14), the drawer being slidably mounted to the drawer housing for movement between a retracted position wherein the drawer is positioned beneath the upper wall and an extended position wherein the drawer is moved outwardly from beneath the upper wall, thereby allowing access to the storage space therein through the upwardly facing opening, the drawer housing being constructed to enable at least the upper wall of the drawer housing to be pivoted between a closed position (Best seen in Strayer, Figure 7) closing the upwardly facing opening of the drawer in its retracted position and an open position (Best seen in Strayer, Figure 1) uncovering the upwardly facing opening of the drawer in its retracted position and a carrying handle (32) for enabling the user to carry the

storage container. Strayer further discloses that each container has an upper coupling (the top opening of element 21) on an upper portion of the storage container and a lower coupling (formed by the element 39 when inserted into the lower portion of element 21) on a lower portion of the storage container being constructed such that, for each pair of vertically adjacent storage containers in the stack, (a) the upper coupling of a lower storage container of the pair is engaged in an interlocked relation with the lower coupling of an upper storage container of the pair to secure the storage containers of the pair together, and (b) the upper and lower couplings of the vertically adjacent storage containers of the pair can be disengaged to enable separation of the storage containers of the pair.



b. Regarding Claim 2, Strayer teaches all of the elements of Claim 1 as stated above and further discloses that the plurality of containers includes three or more storage containers (See Strayer, Column 3, lines 27-28: "a great many of the devices" is taken in this case to mean three or more).

c. Regarding Claim 7, Strayer teaches all of the elements of Claim 1 as stated above and further discloses that the drawer housing (10) of each storage container has a pair of side walls (13, 18a) extending downwardly from the upper wall on opposing sides of the drawer.

d. Regarding Claim 13, Strayer teaches all of the elements of Claim 1 as stated above and further discloses that the at least one lower coupling includes a hook (39) and the at least one upper coupling includes a receptacle (the top opening of element 21), and wherein the hooks and receptacles are constructed such that, for each pair of vertically adjacent storage containers in the stack, (a) the hook of an upper storage container of the pair is engaged in an interlocked relation with the receptacle of the lower storage container of the pair to secure the storage containers of the pair together, and (b) the hook and receptacle of the vertically adjacent storage containers of the pair can be disengaged to enable separation of the storage containers of the pair.

e. Regarding Claim 14, Strayer teaches all of the elements of Claim 7 as stated above and further discloses that the at least one lower coupling includes a hook (39) and the at least one upper coupling includes a receptacle (the top opening of element 21), and wherein the hooks and receptacles are constructed such that, for each pair of vertically adjacent storage containers in the stack, (a) the hook of an upper storage container of the pair is engaged in an interlocked relation with the receptacle of the lower storage container of the pair to secure the storage containers of the pair together, and (b) the hook and receptacle of

the vertically adjacent storage containers of the pair can be disengaged to enable separation of the storage containers of the pair.

f. Regarding Claim 15, Strayer teaches all of the elements of Claim 14 as stated above and further discloses that in each storage container the hook includes a plurality of hooks (two hooks, best seen in Strayer, Figure 7) provided on lower portions of the side walls and the receptacle includes a corresponding plurality of receptacles (two receptacles, best seen in Strayer, Figure 7) provided on upper portion of the side walls.

g. Regarding Claim 16, Strayer teaches all of the elements of Claim 15 as stated above and further discloses that in each storage container the upper portions of the side walls each include recessed wells (21) and wherein the receptacles are located within the recessed wells (the top portion of the element 21).

h. Regarding Claim 17, Strayer discloses a storage container for stacking together with one or more similar storage containers (see Strayer, column 3, lines 13-14), the storage container comprising a drawer (31) having a bottom wall (A) and a peripheral wall (B) defining a storage space (C) for receiving articles and an upwardly facing opening (best seen in Strayer, Figure 1) for accessing the storage space, a drawer housing (10) having at least an upper wall (14), the drawer being slidably mounted to the drawer housing for movement between a retracted position wherein the drawer is positioned beneath the upper wall and an extended position wherein the drawer is moved outwardly from beneath the



upper wall, thereby allowing access to the storage space therein through the upwardly facing opening, the drawer housing being constructed to enable at least the upper wall of the drawer housing to be pivoted between a closed position (Best seen in Strayer, Figure 7) closing the upwardly facing opening of the drawer in its retracted position and an open position (Best seen in Strayer, Figure 1) uncovering the upwardly facing opening of the drawer in its retracted position and a carrying handle (32) for enabling a user to carry the storage container. Strayer further discloses that the container has an upper coupling (the top opening of element 21) on an upper portion of the storage container and a lower coupling (formed by the element 39 when inserted into the lower portion of element 21) on a lower portion of the storage container; the upper coupling being constructed to be engaged in an interlocked relation with a lower coupling of a similar storage container stacked atop the storage container to thereby secure the storage container and the similar storage container stacked atop thereof together, and disengaged from the lower coupling of the similar storage container stacked atop the storage container, thereby allowing the storage container and the similar storage container stacked atop the storage container to be separated; the lower coupling being constructed to be engaged in an interlocked relation with an upper coupling of a similar storage container stacked below the storage container to thereby secure the storage container and the similar storage container stacked below the storage container together, and disengaged from the upper coupling of the similar storage container stacked below the storage

container, thereby allowing the storage container and the similar storage container to be separated.

i. Regarding Claim 22, Strayer teaches all of the elements of Claim 17 as stated above and further discloses that the drawer housing (10) has a pair of side walls (13, 18a) extending downwardly from the upper wall on opposing sides of the drawer.

j. Regarding Claim 27, Strayer teaches all of the elements of Claim 17 as stated above and further discloses that the carrying handle (32) is connected to a front wall of the drawer (Best seen in Strayer, Figure 1) for facilitating movement of the drawer between the retracted and extended positions thereof.

k. Regarding Claims 28 and 29, Strayer teaches all of the elements of Claim 17 as stated above and further discloses that the lower coupling includes a hook (39) and the at least one upper coupling includes a receptacle (the top opening of element 21), the receptacle being constructed to be engaged in an interlocked relation with a hook of a similar storage container stacked atop the storage container (Best seen in Strayer, Figure 4) to thereby secure the storage container and the similar storage container stacked atop thereof together, and disengaged from the hook of the similar storage container stacked atop the storage container, thereby allowing the storage container and the similar storage container stacked atop the storage container to be separated the hook being constructed to be engaged in an interlocked relation with a receptacle of a similar storage container stacked below the storage container to thereby secure the storage container and

the similar storage container stacked below the storage container together, and disengaged from the receptacle of the similar storage container stacked below the storage container, thereby allowing the storage container and the similar storage container to be separated.

l. Regarding Claim 30, Strayer teaches all of the elements of Claim 29 as stated above and further discloses that the hook includes a plurality of hooks (two hooks, best seen in Strayer, Figure 7) and the receptacle includes a corresponding plurality of receptacles (two receptacles, best seen in Strayer, Figure 7).

m. Regarding Claim 31, Strayer teaches all of the elements of Claim 30 as stated above and further discloses that the upper portions of the side walls each include recessed wells (21) and wherein the receptacles are located within the recessed wells (the top portion of the element 21).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

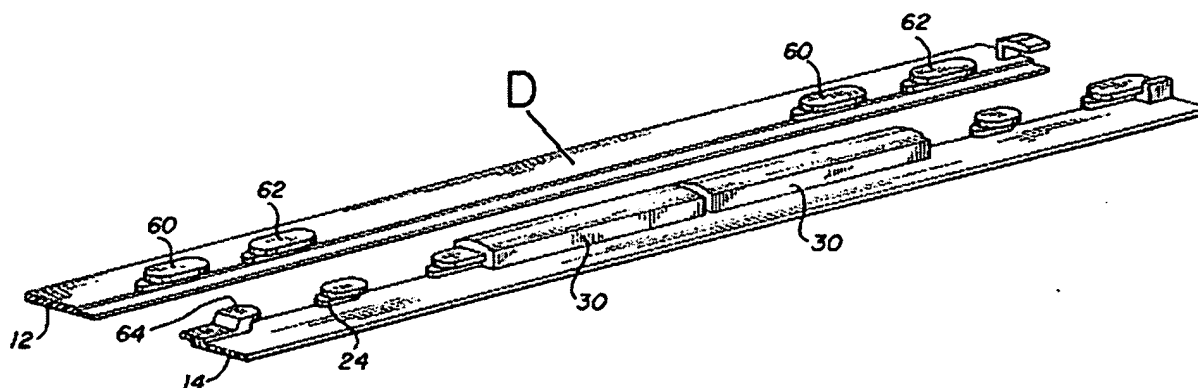
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3-6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strayer as applied to Claim 1 above in view of Frydenberg in US Patent 4576307.

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As stated above, Strayer teaches all of the elements of Claim 2 including a storage device comprising a plurality of containers. Strayer further teaches that the carrying handle (32) is connected to a front wall of the drawer (Best seen in Strayer, Figure 1) for facilitating movement of the drawer between the retracted and extended positions thereof but does not disclose a latch on the containers. Frydenberg teaches a latch (16) movable between a latching position (best seen in Frydenberg, Figure 1) releasably latching two elements (such as the drawer in a retracted position latched with the front edge of the upper wall in the closed position thereof) and a released position (best seen in Frydenberg, Figure 2) enabling two elements to be separated (such as allowing the drawer to be moved to the extended position thereof or for the upper wall to be moved to the open position thereof). Frydenberg further discloses that the latch is slidably mounted (see Frydenberg, Column 2, line 61, "a slide-type latching mechanism") on a front face of an element (such as the drawer) for lateral movement between the latched and released positions thereof and that the upper element (such as the upper wall on the drawer housing of each storage container) has a front edge with a latch engaging portion having a lip (60, 62) protruding upwardly therefrom and a recess (D) adjacent the latch engaging portion, the recess being positioned such that, when the drawer is in the retracted position thereof and the upper wall is in the closed position thereof, the latch in its released position is received in the recess, and then can be moved laterally onto the latch engaging portion and the lip thereof to affect the latched position thereof. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Strayer by adding a latching mechanism as taught by Frydenberg

in order to securely lock the drawer to the upper wall so that the contents of the storage device are not spilled when the container is moved.



Frydenberg, Figure 2

9. Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strayer in view of Frydenberg in US Patent 4576307. As stated above, Strayer teaches all of the elements of Claim 17 including a storage device comprising a plurality of containers but does not disclose a latch on the containers. Frydenberg teaches a latch (16) movable between a latching position (best seen in Frydenberg, Figure 1) releasably latching two elements (such as the drawer in a retracted position latched with the front edge of the upper wall in the closed position thereof) and a released position (best seen in Frydenberg, Figure 2) enabling two elements to be separated (such as allowing the drawer to be moved to the extended position thereof or for the upper wall to be moved to the open position thereof). Frydenberg further discloses that the latch is slidably

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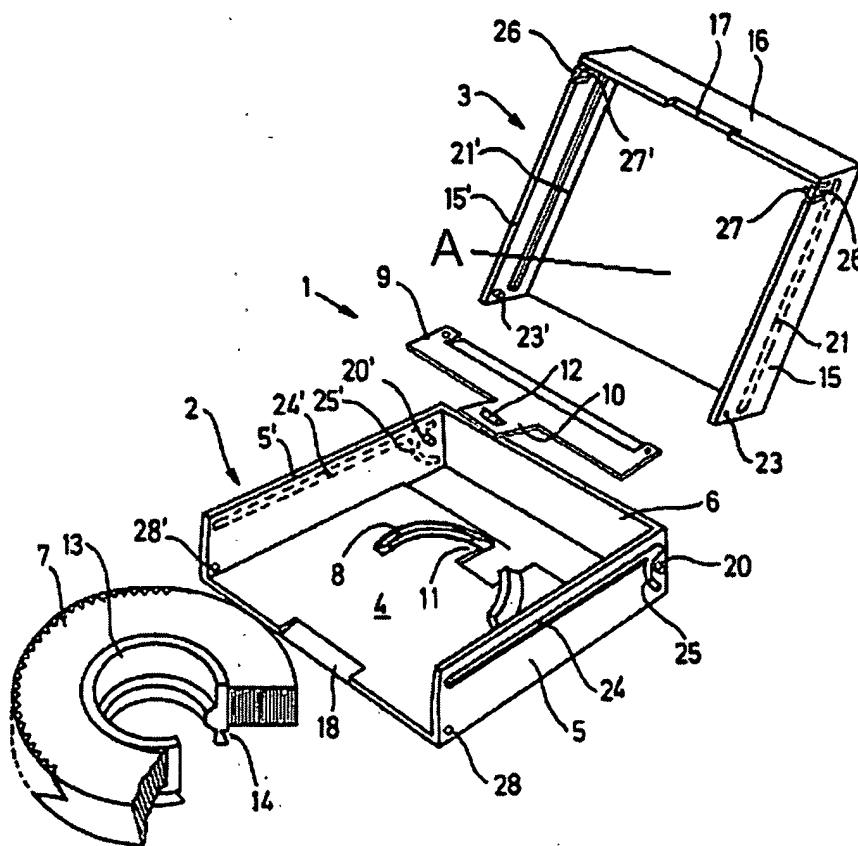
mounted (see Frydenberg, Column 2, line 61, "a slide-type latching mechanism") on a front face of an element (such as the drawer) for lateral movement between the latched and released positions thereof and that the upper element (such as the upper wall on the drawer housing of each storage container) has a front edge with a latch engaging portion having a lip (60, 62) protruding upwardly therefrom and a recess (D) adjacent the latch engaging portion, the recess being positioned such that, when the drawer is in the retracted position thereof and the upper wall is in the closed position thereof, the latch in its released position is received in the recess, and then can be moved laterally onto the latch engaging portion and the lip thereof to affect the latched position thereof. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Strayer by adding a latching mechanism as taught by Frydenberg in order to securely lock the drawer to the upper wall so that the contents of the storage device are not spilled when the container is moved.

10. Claims 1-5 and 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gliniorz et al. in US Patent 4420079 in view of Dane et al. in US Publication 2004/0129595.

n. Regarding Claim 1, Gliniorz et al. teaches a stackable container comprising a drawer (2) having a bottom wall (4) and a peripheral wall (5) defining a storage space for receiving articles and an upwardly facing opening (best seen in Gliniorz et al., Figure 1) for accessing the storage space, a drawer housing (3) having at least an upper wall (A), the drawer being slidably mounted

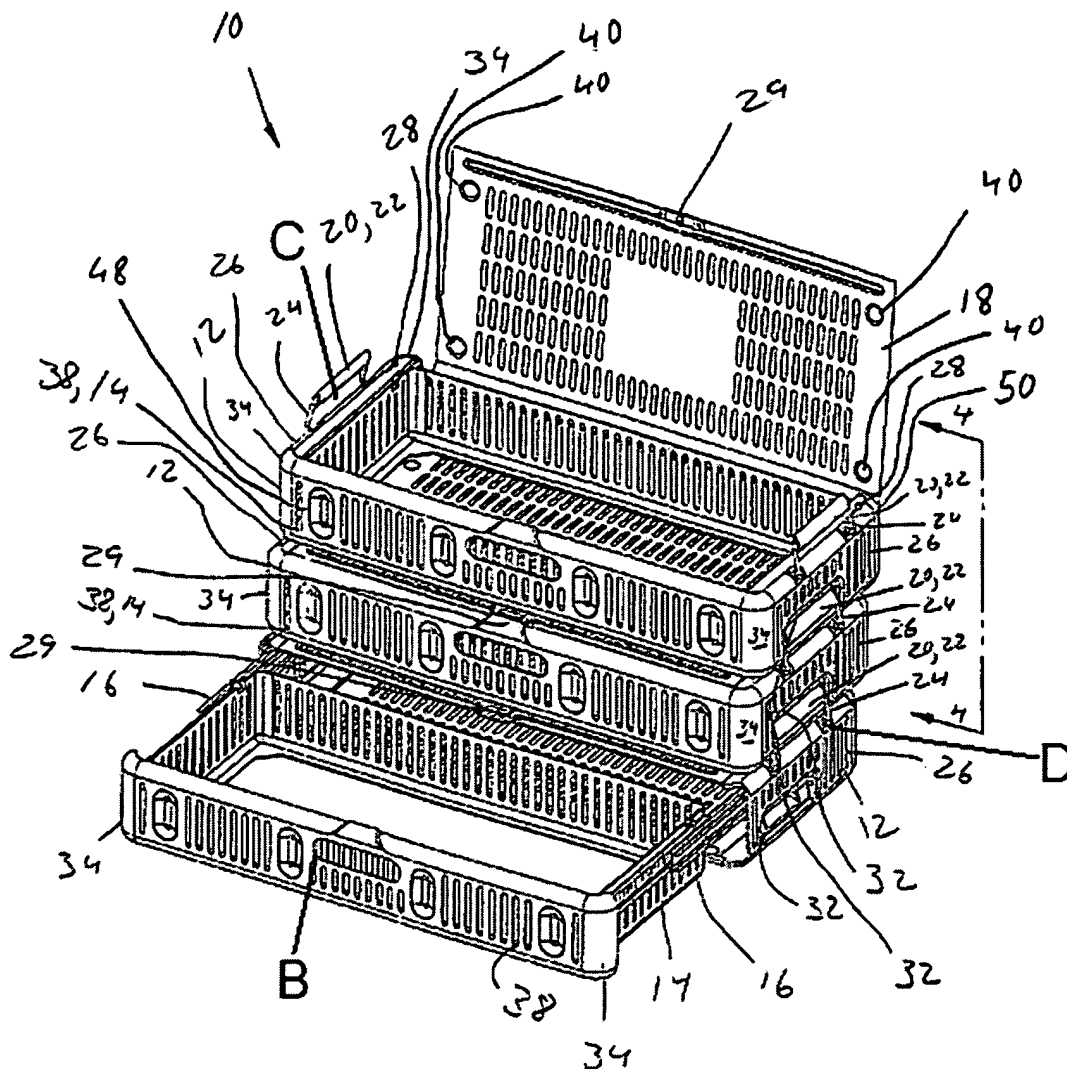
to the drawer housing for movement between a retracted position wherein the drawer is positioned beneath the upper wall and an extended position wherein the drawer is moved outwardly from beneath the upper wall, thereby allowing access to the storage space therein through the upwardly facing opening, the drawer housing being constructed to enable at least the upper wall of the drawer housing to be pivoted between a closed position closing the upwardly facing opening of the drawer in its retracted position and an open position uncovering the upwardly facing opening of the drawer in its retracted position but fails to teach a plurality of the containers, upper and lower couplings, or a handle to carry the container. Dane et al. teaches a storage system comprising a plurality of stackable containers arranged in a vertical stack (see Dane et al., Figure 1), the container having a carrying handle (B) for enabling the user to carry the storage container. Dane et al. further discloses that each container has an upper coupling (20) on an upper portion of the storage container and a lower coupling (32) on a lower portion of the storage container being constructed such that, for each pair of vertically adjacent storage containers in the stack, (a) the upper coupling of a lower storage container of the pair is engaged in an interlocked relation with the lower coupling of an upper storage container of the pair to secure the storage containers of the pair together, and (b) the upper and lower couplings of the vertically adjacent storage containers of the pair can be disengaged to enable separation of the storage containers of the pair. It would have been obvious to one of ordinary skill in the art at the time of invention to

modify the device of Gliniorz et al., by using a plurality of containers with handles and coupling devices as taught by Dane et al. in order to allow the user to store more objects in the system more securely and to make the opening of the container easier for the user.



Gliniorz et al., Figure 1





Dane et al., Figure 1

o. Regarding Claim 2, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 1 including a storage system. Dane et al. further teaches that the plurality of containers includes three storage containers (Best seen in Dane et al., Figure 1). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of Dane et al. by using a plurality of containers including three or more

containers as taught by Dane et al. in order to increase the amount of storage space in the device.

p. Regarding Claims 3-5, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 1 including a storage system. Dane et al. further teaches that each storage container comprises a latch (29), the latch being slidably mounted (see Dane et al., Column 2, lines 10-14) on a front face of the drawer (best seen in Dane et al., Figure 1) for movement between (a) a latching position releasably latching the drawer in the retracted position thereof and latching the upper wall in the closed position thereof and (b) a released position enabling the drawer to be moved to the extended position thereof and enabling the upper wall to be moved to the open position thereof. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of Dane et al. by using a latch as taught by Dane et al. in order to securely lock the drawer to the upper wall so that the contents of the storage device are not spilled when the container is moved.

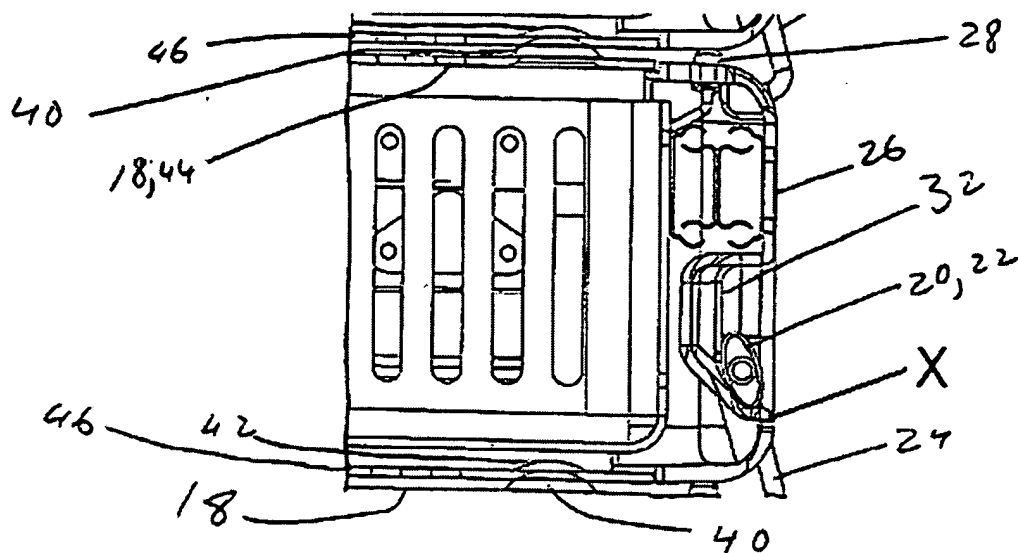
q. Regarding Claims 7 and 8, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 1 including a storage system. Gliniorz et al. further disclose that the drawer housing (3) of each storage container has a pair of side walls (15, 15') extending downwardly from the upper wall (A) on opposing sides of the drawer and that the upper wall and side walls are fixed together so that the side walls are pivoted along with the upper wall between open and closed positions thereof.

r. Regarding Claims 9-11, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 8 including a storage system. Gliniorz et al. further disclose that the drawer includes a pair of pivot pins (20) extending from opposing sides thereof and the side walls of the drawer housing include a pair of inwardly facing tracks (21, 21'), the pivot pins being slidably and pivotably received in the tracks to enable the upper wall and the side walls to be pivoted about the pivot pin between the open and closed positions of the upper wall and the drawer to be moved between the retracted and extended positions with the pivot pins riding within the tracks. Gliniorz et al. also teach that each side wall of the drawer housing includes a support flange (23, 23') extending inwardly adjacent a front end of the drawer housing and that the drawer has a pair of support ridges (24, 24') extending on each side thereof, the support ridges being supported by the support flanges to support the drawer as it moves between the retracted and extended positions thereof. Further, Gliniorz et al. teach that the support flanges are deflectable for clearing the support ridges as the upper wall and side walls are pivoted to the open position.

s. Regarding Claim 12, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 4 including a storage system. Dane et al. further teaches that the carrying handle is connected to a front wall of the drawer (best seen in Dane et al., Figure 1) for facilitating movement of the drawer between the retracted and extended positions thereof. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of

Dane et al. by using a handle connected to a front wall of the drawer as taught by Dane et al. in order to allow the user to utilize the handle more efficiently when using it to operate the drawer.

t. Regarding Claim 13, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 4 including a storage system. Dane et al. further discloses that the at least one lower coupling includes a hook (X, Best seen in Dane et al., Figure 3 Detail, below) and the at least one upper coupling includes a receptacle (C, the area formed inside element 24) and wherein the hooks and receptacles are constructed such that, for each pair of vertically adjacent storage containers in the stack, the hook of an upper storage container of the pair is engaged in an interlocked relation with the receptacle of the lower storage container of the pair to secure the storage containers of the pair together and the hook and receptacle of the vertically adjacent storage containers of the pair can be disengaged to enable separation of the storage containers of the pair. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of Dane et al. by using a coupling system with hooks and receptacles as taught by Dane et al. in order to more securely the two adjacent containers together.



Dane et al., Figure 3 (Detail)

u. Regarding Claims 14-16, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 7 including a storage system. Dane et al. further discloses that the at least one lower coupling includes a hook (X, Best seen in Dane et al., Figure 3 Detail, below) and the at least one upper coupling includes a receptacle (C, the area formed inside element 24) and wherein the hooks and receptacles are constructed such that, for each pair of vertically adjacent storage containers in the stack, the hook of an upper storage container of the pair is engaged in an interlocked relation with the receptacle of the lower storage container of the pair to secure the storage containers of the pair together and the hook and receptacle of the vertically adjacent storage containers of the pair can be disengaged to enable separation of the storage containers of the pair. Dane et al. also discloses that the hook includes a plurality of hooks provided on lower portions of the side

walls (one hook is located on each side of the device) and the receptacle includes a corresponding plurality of receptacles provided on upper portions of the side walls (one receptacle is located on each side of the device) and that the upper portions of the side walls each include recessed wells (D, Best seen in Dane et al., figure 1) and wherein the receptacles are located within the recessed wells. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of Dane et al. by using a coupling system with hooks and receptacles as taught by Dane et al. in order to more securely connect the two adjacent containers together.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gliniorz et al. in view of Dane et al. as applied to Claim 5 above and further in view of Frydenberg in US Patent 4576307. Gliniorz et al in view of Dane et al. teaches all of the elements of Claim 5 but fails to teach a lip or a recess portion. Frydenberg teaches a latch with an upper element (such as the upper wall on the drawer housing of each storage container) having a front edge with a latch engaging portion having a lip (60, 62) protruding upwardly therefrom and a recess (D) adjacent the latch engaging portion, the recess being positioned such that, when the drawer is in the retracted position thereof and the upper wall is in the closed position thereof, the latch in its released position is received in the recess, and then can be moved laterally onto the latch engaging portion and the lip thereof to affect the latched position thereof. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et

al. in view of Dane et al. by using a latch as taught by Frydenberg in order to more securely fasten the two parts of the container together.

12. Claims 17-20 and 22- 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gliniorz et al. in US Patent 4420079 in view of Dane et al. in US Publication 2004/0129595.

v. Regarding Claim 17, Gliniorz et al. teaches a storage container comprising a drawer (2) having a bottom wall (4) and a peripheral wall (5) defining a storage space for receiving articles and an upwardly facing opening (best seen in Gliniorz et al., Figure 1) for accessing the storage space, a drawer housing (3) having at least an upper wall (A), the drawer being slidably mounted to the drawer housing for movement between a retracted position wherein the drawer is positioned beneath the upper wall and an extended position wherein the drawer is moved outwardly from beneath the upper wall, thereby allowing access to the storage space therein through the upwardly facing opening, the drawer housing being constructed to enable at least the upper wall of the drawer housing to be pivoted between a closed position closing the upwardly facing opening of the drawer in its retracted position and an open position uncovering the upwardly facing opening of the drawer in its retracted position but fails to teach couplings on the container or a handle to carry the container. Dane et al. teaches a stackable container having a carrying handle (B) for enabling the user to carry the storage container. Dane et al. further discloses that the container has an upper coupling (20) on an upper portion of the storage container, the upper coupling constructed

to be engaged in an interlocked relation with a lower coupling of a similar storage container stacked atop the storage container to thereby secure the storage container and the similar storage container stacked atop thereof and disengaged from the lower coupling of the similar stacked container stacked atop the storage container, thereby allowing the storage container and the similar storage container stacked atop the container to be separated; and a lower coupling (32) on a lower portion of the storage container being constructed such that, for each pair of vertically adjacent storage container, the lower coupling constructed to be engaged in an interlocked relation with an upper coupling of a similar storage container stacked below the storage container to thereby secure the storage container and the similar storage container together and disengaged from the upper coupling of the similar storage container stacked below the storage container thereby allowing the storage container and the similar storage container to be separated. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al., by adding a handle and coupling devices as taught by Dane et al. in order to allow the user to store more objects in the system more securely and to make the opening of the container easier for the user.

w. Regarding Claims 18-20, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 17 including a storage system. Dane et al. further teaches that each storage container comprises a latch (29), the latch being slidably mounted (see Dane et al., Column 2, lines 10-14) on a front face of



the drawer (best seen in Dane et al., Figure 1) for movement between (a) a latching position releasably latching the drawer in the retracted position thereof and latching the upper wall in the closed position thereof and (b) a released position enabling the drawer to be moved to the extended position thereof and enabling the upper wall to be moved to the open position thereof. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of Dane et al. by using a latch as taught by Dane et al. in order to securely lock the drawer to the upper wall so that the contents of the storage device are not spilled when the container is moved.

x. Regarding Claims 22 and 23, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 17 including a storage system. Gliniorz et al. further disclose that the drawer housing (3) of each storage container has a pair of side walls (15, 15') extending downwardly from the upper wall (A) on opposing sides of the drawer and that the upper wall and side walls are fixed together so that the side walls are pivoted along with the upper wall between open and closed positions thereof.

y. Regarding Claims 24-26, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 23 including a storage system. Gliniorz et al. further disclose that the drawer includes a pair of pivot pins (20) extending from opposing sides thereof and the side walls of the drawer housing include a pair of inwardly facing tracks (21, 21'), the pivot pins being slidably and pivotably received in the tracks to enable the upper wall and the side walls to be pivoted

about the pivot pin between the open and closed positions of the upper wall and the drawer to be moved between the retracted and extended positions with the pivot pins riding within the tracks. Gliniorz et al. also teach that each side wall of the drawer housing includes a support flange (23, 23') extending inwardly adjacent a front end of the drawer housing and that the drawer has a pair of support ridges (24, 24') extending on each side thereof, the support ridges being supported by the support flanges to support the drawer as it moves between the retracted and extended positions thereof. Further, Gliniorz et al. teach that the support flanges are deflectable for clearing the support ridges as the upper wall and side walls are pivoted to the open position.

z. Regarding Claim 27, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 17 including a storage system. Dane et al. further teaches that the carrying handle is connected to a front wall of the drawer (best seen in Dane et al., Figure 1) for facilitating movement of the drawer between the retracted and extended positions thereof. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of Dane et al. by using a handle connected to a front wall of the drawer as taught by Dane et al. in order to allow the user to utilize the handle more efficiently when using it to operate the drawer.

aa. Regarding Claims 28 and 29, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 17 including a storage system. Dane et al. further discloses that the lower coupling includes a hook (X, Best

seen in Dane et al., Figure 3 Detail, above) and the at least one upper coupling includes a receptacle (C, the area formed inside element 24), the receptacle being constructed to be engaged in an interlocked relation with a hook of a similar storage container stacked atop the storage container (Best seen in Dane et al., Figure 1) to thereby secure the storage container and the similar storage container stacked atop thereof together, and disengaged from the hook of the similar storage container stacked atop the storage container, thereby allowing the storage container and the similar storage container stacked atop the storage container to be separated the hook being constructed to be engaged in an interlocked relation with a receptacle of a similar storage container stacked below the storage container to thereby secure the storage container and the similar storage container stacked below the storage container together, and disengaged from the receptacle of the similar storage container stacked below the storage container, thereby allowing the storage container and the similar storage container to be separated. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of Dane et al. by adding a coupling device as taught by Dane et al. in order to securely fasten two or more storage containers together and allow the user to store more objects in the resulting system.

bb. Regarding Claims 30 and 31, as stated above, Gliniorz et al. in view of Dane et al. teach all of the elements of Claim 29 including a storage system. Dane et al. further discloses that the hook includes a plurality of hooks provided

on lower portions of the side walls (one hook is located on each side of the device) and the receptacle includes a corresponding plurality of receptacles provided on upper portions of the side walls (one receptacle is located on each side of the device) and that the upper portions of the side walls each include recessed wells (D, Best seen in Dane et al., figure 1) and wherein the receptacles are located within the recessed wells. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et al. in view of Dane et al. by using a coupling system with a plurality of hooks and receptacles as taught by Dane et al. in order to more securely connect the two adjacent containers together.

13. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gliniorz et al. in view of Dane et al. as applied to Claim 20 above and further in view of Frydenberg in US Patent 4576307. Gliniorz et al in view of Dane et al. teaches all of the elements of Claim 20 but fails to teach a lip or a recess portion. Frydenberg teaches a latch with an upper element (such as the upper wall on the drawer housing of each storage container) having a front edge with a latch engaging portion having a lip (60, 62) protruding upwardly therefrom and a recess (D) adjacent the latch engaging portion, the recess being positioned such that, when the drawer is in the retracted position thereof and the upper wall is in the closed position thereof, the latch in its released position is received in the recess, and then can be moved laterally onto the latch engaging portion and the lip thereof to affect the latched position thereof. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Gliniorz et

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al. in view of Dane et al. by using a latch as taught by Frydenberg in order to more securely fasten the two parts of the container together.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sands et al., Chen '235, Loeffel, Lanius, Fiore, and Chen '719 disclose storage containers having pivoting and sliding components. Chang, Carstens et al., and Wolfseder disclose stackable components. Kao, Chang et al., Liu, Roesler and Moore, Kambouris and Kambouris et al. disclose containers with pivoting lids.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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LANNA MAI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

A handwritten signature in black ink, appearing to read 'Lanma Mai', with a long horizontal flourish extending to the right.